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FEDERAL COMMUNICATIONS COMMISSION
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Honorable Malcolm Wallop
Ranking Republican Member
Committee on Energy and Natural Resources
United States Senate
312 Dirksen Senate Office Building
Washington, DC 20510

Federal Communications Commission
Office of the Secretary

92-9

Dear Senator Wallop:

Thank you for your letter expressing concern about the possible disruption that the proposed reallocation of 2 GHz spectrum from private microwave users to emerging technologies could have on utilities, railroads, oil and gas pipeline companies, and other existing licensees.

Under the Commission's proposal, local and state government licensees, including public safety agencies, would be exempt from any mandatory move to higher frequencies. With regard to other licensees, the Commission is committed to making adequate spectrum available to them that will accommodate their current and future operations. To ensure that no disruption to communications will result and to keep the associated cost to a minimum, the Commission solicited comments on alternative transition periods that range from a minimum of ten years, which is equivalent to the normal useful life of equipment used at these frequencies, to an open-ended period. During the transition period existing users would be permitted to negotiate frequency changes with new service providers. These proposals were made only after a year-long staff study that addressed these issues. As an additional measure, I have directed a group of senior Commission officials headed by my Chief of Staff to discuss transition issues with the existing users of the 2 GHz band to ensure that their needs are fully considered. I have enclosed a fact sheet that more fully describes these proposals.

With regard to the request filed by several trade associations to extend the deadline for comments on the Commission's reallocation proposals in ET Docket No. 92-9, on March 31, 1992, the deadline was extended for 45 days. I note that two other parties opposed extending the deadline, but I agree with you that the extension is justified to permit all parties to complete their analyses and submit them to the Commission. I have enclosed a copy of the extension Order.

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Honorable Malcolm Wallop

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The need of the existing 2 GHz licensees for reliable communications is important to the Commission and is being taken carefully into account in this proceeding. Consistent with your request, I am making your letter part of the record in ET Docket No. 92-9.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alfred C. Sikes', with a stylized flourish at the end.

Alfred C. Sikes
Chairman

Enclosures

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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, DC 20510-6150

March 23, 1992

The Honorable Alfred C. Sikes
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Mr. Chairman:

I am writing once again in regard to the proposal of the Federal Communications Commission to re-allocate the private microwave frequencies that presently are used by utilities, railroads, oil and gas pipeline companies, state and local governments and others (ET Docket No. 92-9).

In my January 27, 1992 letter to you, I expressed my grave concern about the tremendous disruption the proposed change would cause current users of the 2GHz microwave band. The response to me from Mr. Stanley, FCC Chief Engineer, did nothing to lessen my concern.

I am aware that several trade associations representing these industries recently filed a request for a 60-day extension of the April 21 comment deadline in this proceeding. I urge the Commission to act favorably on that request.

The technical issues raised by the Commission's proposal are complex and the policy issues are fundamental. As explained in my January 27 letter to you, it is essential that the existing 2GHz users continue to have the safe and reliable communications necessary to support their critical operations. This is not only a question of corporate operations, it is also a matter of public safety.

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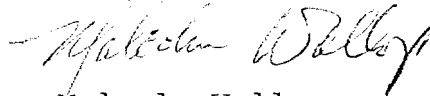
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Because of the important public interest in the safe and reliable supply of electricity, gas, petroleum, rail transportation, and emergency services, the Commission should exercise extreme care not to impose costly changes and disruptions on these critical industries. Under the circumstances, it is essential for the Commission to proceed cautiously and deliberately on this matter rather than risk a wrong decision as a result of hasty and inadequate consideration of all aspects of the matter.

Accordingly, I believe it is appropriate to give all parties additional time to study, analyze and review the complex questions raised by the Commission's proposal. I urge the Commission to act accordingly.

Please make this letter a part of the official record in ET Docket No. 92-9.

Sincerely,

A handwritten signature in cursive script, appearing to read "Malcolm Wallop".

Malcolm Wallop
Ranking Republican Member

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